

HOUSE BILL No. 2699

By Committee on Corrections and Juvenile Justice

Requested by Representative E. Smith

2-6

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to crimes involving property; creating the crime of home invasion and
3 aggravated home invasion and providing criminal penalties for
4 violation thereof.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) Home invasion is, without authority, using physical
8 force or the threat of physical force to enter into any dwelling or locked or
9 secured portion of any dwelling:

10 (1) With intent to terrorize any person in such dwelling or portion of
11 the dwelling;

12 (2) with knowledge that the dwelling or portion of the dwelling being
13 entered is or may be occupied by another person and entry is not
14 authorized;

15 (3) when the offender knows or reasonably should know that such
16 entry will result in great bodily harm or death to any person; or

17 (4) when the offender is armed with a dangerous weapon or firearm.

18 (b) Aggravated home invasion is home invasion, as defined in
19 subsection (a), when:

20 (1) The offender uses a dangerous weapon or firearm in the course of
21 the home invasion; or

22 (2) the home invasion results in great bodily harm or death to any
23 person.

24 (c) (1) Home invasion as defined in:

25 (A) Subsection (a)(1) or (a)(2) is a severity level 6, person felony;
26 and

27 (B) subsection (a)(3) or (a)(4) is a severity level 5, person felony.

28 (2) Aggravated home invasion as defined in:

29 (A) Subsection (b)(1) is a severity level 4, person felony; and

30 (B) subsection (b)(2) is a severity level 2, person felony.

31 (d) A person who violates the provisions of this section may also be
32 prosecuted for, convicted of and punished for any other person felony.

33 (e) This section shall be a part of and supplemental to the Kansas
34 criminal code.

35 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.